

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

RONNIE WAYNE LOWRANCE, §
§
Petitioner, § Civil Action No. **3:08-CV-0026-L**
v. §
§
NATHANIEL QUARTERMAN, Director, §
Texas Department of Criminal Justice, §
Correctional Institutions Division, §
§
Respondent. §

ORDER

Before the court is Ronnie Wayne Lowrance's Petition for Writ of Habeas Corpus, filed December 8, 2007,¹ and Petitioner's Request for [Leniency],² filed July 17, 2008. Pursuant to Special Order 3-251, the petition was referred to United States Magistrate Judge Irma C. Ramirez, on January 4, 2008. On June 14, 2008, the Findings, Conclusions, and Recommendation of the United States Magistrate Judge ("Report") was filed. Petitioner filed objections to the Report on July 17, 2008.

This is a habeas petition filed pursuant to 28 U.S.C. § 2254. Magistrate Judge Ramirez found that the petition was barred by the one-year statute of limitations of the Antiterrorism and Effective Death Penalty Act of 1996. The court has reviewed the record, Petitioner's objections, and the Report. The court agrees with the magistrate judge's conclusions and **overrules** these objections.

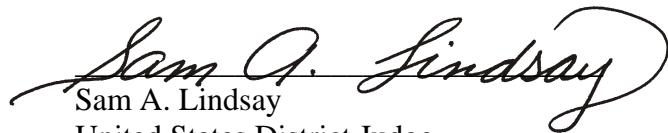
¹Because December 8, 2007 is the date Petitioner certified that he placed the petition in the prison mail system, it is deemed filed as of that date. *See Coleman v. Johnson*, 184 F.3d 398, 401 (5th Cir. 1999).

²By his motion, Petitioner requests that the court accept the original copy of his objections without an additional copy as required by Local Civil Rule 5.1.

Petitioner's objections are either a duplicative recitation of the arguments included in his petition or based upon a misunderstanding of the magistrate judge's findings and the law applicable thereto. Because these arguments were either considered by the court in its review of the petition or are without merit, the court will not address them herein. Accordingly, the court **overrules** Petitioner's objections.

Having reviewed the petition, file, record, and the Report in this case, the court determines that the findings and conclusions are correct. The magistrate judge's findings and conclusions are therefore **accepted** as those of the court, and the court **dismisses with prejudice** the writ of habeas corpus, as it is barred by the one-year limitations period. The court **grants** Petitioner's Request for [Leniency] and **excuses** his failure to comply with the copy requirement in Local Civil Rule 5.1.

It is so ordered this 31st day of July, 2008.



Sam A. Lindsay
United States District Judge